Council of Planning Librarians EXCHANGE BIBLIOGRAPHY

October 1973

468

REPRESENTATION AS AN URBAN PROBLEM: A Bibliography

Anthony G. White

Mrs. Mary Vance, Editor
Post Office Box 229
Monticello, Illinois 61856

REPRESENTATION AS AN URBAN PROBLEM

by

Anthony G. White

Copyright (C) 1973 Anthony G. White

Democratic systems tend to work under a handicap, comparative to other systems of government. Once the population of a democratic unit reaches an unmanageable level, or the communication 'distance' to be travelled (geographic, language, cultural, etc.) in order to make democratic decisions becomes too great for convienence, then a substitute form must be found.

In America, the most viable substitute - given the nation's historical and cultural background - has been representative government. Through the struggle to determine <u>what</u> should be represented (land, wealth, or people), America's organic law has defined <u>people</u> as the most important element in determining how government shall be run.

Once it had been determined that the representative form was to be used, then it remained to implement such a system. The Federal division of senators (representing states) from representatives (representing people) has been mimiced by the states, although the basic problem has always been how to make the representative (congressional) districts as equal

in size as possible to afford each person the "equal protection of the law" guaranteed by the Fourteenth Amendment to the U. S. Constitution. In the 1960's, this rule boiled down to "one man-one vote."

Although state legislatures have copied the federal system, since state-level decisions have not the scope and impact of national decisions, until recent years not too much emphasis was placed on the limits of a state legislator's district population. However, U. S. Supreme Court decisions, in tightening Congressional district population limits, have had a similar tightening effect upon state representative district limits.

These state district limits have import relative to metropolitan-area governments. Since many states are not "home-rule" states, their legislatures pass numerous local laws affecting everyday operations of both metropolitan and nonmetropolitan area governments. They are, in fact, a second city council or county court, and some form of equal representation is necessary for local influence upon legislation.

Following a period of power abuses on the local level in the late 1800's, most U. S. cities abandoned the ward (local district) system as a formal part of city politics. Council members were elected at large, to prevent ward-heeling trade-offs of favors for votes. With the advent of 'metropolitan' governments, enough cities have grown so large as to sever contact between the councilman and the citizen and to cause a crisis in representative government.

To remedy this growing remoteness, metropolitan governmental reformers have suggested a return to community control. Suggestions in this area range from the breaking up of large cities into numerous smaller ones, establishment of 'neighborhood city halls,' creation of community councils, and district representation. This latter suggestion has been adopted in the charters of the eleven city-counties created since 1962.

On the local level, however, district representation on the basis of population - while still the rule - can be circumvented by a residency requirement. In Virginia Beach, Virginia, representatives from the various districts must reside within the geographic boundaries of districts with unequal population size, while the voters from the entire city-county determine who each district representative shall be.

This bibliography presents materials dealing generally with representation, districting, apportionment and reapportionment. It will hopefully be of aid to those students of government and of life who have an abiding interest in the Fourteenth Amendment to the U. S. Constitution and the "equal protection of the laws."

REPRESENTATION AS AN URBAN PROBLEM

Abate versus Munolt. 253 NE2d 189, 1969.

Advisory Commission on Intergovernmental Relations. The New Grass Roots Government? Washington, D. C.: U. S. Government Printing Office, 1972.

_____. 1970 Cumulative ACIR State Legislative Program. Washington, D. C.: U. S. Government Printing Office, 1969.

Anderson, William. "The Constitutionality of Proportional Representation," National Municipal Review. Vol. 12, Supplement, 1923, p. 751.

Avery versus Midland Company. 390 U.S. 474, 1968.

Baker, Gordon E. "Redistricting in the Seventies: The Political Thicket Deepens," National Civic Review. Vol. 61, No. 6, June 1972, pp. 277-285.

Baker versus Carr. 369 U.S. 186, 1962.

Banzhaf, John F. Multi-Member Electoral Districts - Do They Violate the "One Man, One Vote" Principle? New York: National Municipal League, 1966.

Barbur, Kathleen L. Reapportionment in Ohio and Michigan. Cleveland: Case Western Reserve University, Ph.D. dissertation, 1968.

Bigelo, Page E. "Texas Districts Cause Problems," National Civic Review. Vol. 61, No. 1, January 1972, pp. 46-47.

Bingham, R. D. Reapportionment of the Oklahoma House of Representatives. Norman: University of Oklahoma, 1972.

Boyd, William J. D. "Apportionment and Districting: Problems of Compliance," National Civic Review. Vol. 60, No. 4, April 1971, pp. 199-203.

_____. Changing Patterns of Apportionment. New York: National Municipal League, 1965.

_____. "Court Appoints Master to Redraw State Lines," National Civic Review. Vol. 61, No. 4, April 1972, p. 193.

_____. "Reapportionment Impasse may Hurt Election," National Civic Review. Vol. 61, No. 8, September 1972, p. 412.

_____. "States Continue Districting Fights," National Civic Review. Vol. 61, No. 4, April 1972, pp. 193-194.

_____. "States Continue Remap Activity," National Civic Review. Vol. 61, No. 5, May 1972, pp. 249-251.

_____. "Virginia Districts Overturned by Court," National Civic Review. Vol. 61, No. 4, April 1972, p. 194.

Bromage, Arthur W. Political Representation in Metropolitan Agencies. Ann Arbor: University of Michigan, 1962.

Bureau of Municipal Research and Service. What Does "One Man-One Vote" Require of Local Governing Bodies? Eugene: University of Oregon, 1970.

Burns versus Richardson. 384 U.S. 73, 1966.

Center for Governmental Studies. Public Administration and Neighborhood Control: Conference Proceedings. Washington, D. C.: The Center, 1970.

Chartrand, Robert L. Redistricting in the 70's: The Role of the Computer. Washington, D. C.: World Peace Through Law Center, 1972.

Cipriano versus City of Houma. 395 U.S. 701, 1969.

Citizens League. Sub-Urbs in the City: Way to Expand Participation and Representation in Minneapolis Government. Minneapolis: The League, 1970.

City of Phoenix versus Koloziejski. 399 U.S. 204, 1970.

City of Spencer versus Raburn. 483 P2d 735.

Connecticut Public Expenditure Council. Minority Representation on Local Legislative Bodies? Hartford: The Council, 1968.

"Constitutional Law - Municipal Redistricting: Deprivation of Right to Vote or Violation of Equal Protection?" Western Reserve Law Review. Vol. 45, Spring 1962, pp. 614+.

Davis, I. Ridgway. The Effects of Reapportionment on the Connecticut Legislature: Decade of the Sixties. New York: National Municipal League, 1972.

Decentralization for National and Local Development. New York: United Nations, 1962.

Dixon, Robert G., Jr. "New Constitutional Forms for Metropolis: Reapportioned County Boards: Local Councils of Government," Law and Contemporary Problems. Vol. 30, 1965, pp. 57-70+.

_____. "One Man, One Vote - What Happens Next?" National Civic Review. Vol. 60, No. 5, May 1971, pp. 259-265.

_____. "Rebuilding the Urban Political System: Some Heresies Concerning Citizen Participation, Community Actions, Metros, and One Man-One Vote," Georgetown Law Journal. Vol. 58, Nos. 4 & 5, pp. 955-986.

Dusch versus Davis. 387 U.S. 112, 1967.

Erie, Steven P., et. al. Reform of Metropolitan Governments. Washington, D. C.: Resources for the Future, 1972.

Etter, Orval. The Metropolitan Borough: What is It? Portland: Portland Metropolitan Study Commission, 1966.

Fair, W., J. Wood and L. Liebman. Decentralization of New York City. New York: Association of the Bar of the City of New York, 1971.

Faubus versus Kinney. 389 SW2d 887.

Fortson versus Dorsey. 379 U.S. 433, 1965.

Frederickson, H. George and Yong Hyo Cho. Legislative Apportionment and Fiscal Policy in the American States: A Preliminary Report. New York: National Municipal League, 1970.

Gomillion versus Lightfoot. 81 Sup. Ct. 125.

Gordon versus Lance. 403 U.S. 1, 1971.

"Governing Redistricting," National Civic Review. Vol. 61, No. 2, February 1972, pp. 60-61.

Hadley versus Junior College District. 397 U.S. 50, 1970.

Hagman, D. G. and S. G. Disco. "One Man-One Vote as a Constitutional Imperative for Needed Reform of Incorporation and Boundary Change Laws," The Urban Lawyer. Vol. 2, No. 4, Fall 1970, pp. 459-479.

Hallett, George H., Jr. Proportional Representation - the Key to Democracy. New York: National Municipal League, 1940.

Hallman, Howard W. Community Control: A Study of Community Corporations and Neighborhood Boards. Washington, D. C.: Washington Center for Metropolitan Studies, 1969.

_____. Administrative Decentralization and Citizen Control. Washington, D. C.: Washington Center for Metropolitan Studies, 1971.

Hawkins, Brett W. and Cheryl Whelchel. "Reapportionment and Urban Representation in Legislative Influence Positions: The Case of Georgia," Urban Affairs Quarterly. Vol. 3, No. 2, March 1968, pp. 69-80.

Herget, James E. "The Impact of the Fourteenth Amendment on the Structure of Metropolitan and Regional Governments," Hastings Law Journal. Vol. 23, No. 3, March 1972, pp. 763-790.

Hermens, Ferdinand A. Democracy or Anarchy? A Study of Proportional Representation. North Bend: Notre Dame, 1941.

Huston, Michael J. "Special Service Districts in a City-County Consolidation: Conflict Between Metropolitan Reform and "One Man-One Vote" in Indianapolis-Marion County," Indiana Law Journal. Vol. 47, No. 1, Fall 1971, pp. 107-117.

Institute of Governmental Affairs. County Board Reapportionment Handbook. Madison, Wisconsin: University of Wisconsin, 1971.

Jewell, Malcolm E. Metropolitan Representation: State Legislative Districting in Urban Counties. New York: National Municipal League, 1969.

Kaufman, Herbert. "Administrative Decentralization and Political Power," Public Administration Review. Vol. 29, 1969, pp. 3-15.

Kneier, Charles M. City Government in the United States. New York: Harper and Row, 1957.

Kotler, Milton. Neighborhood Government: The Local Foundations of Political Life. New York: Bobbs-Merrill, 1969.

Kramer versus Union Free School District. 395 U.S. 621, 1969.

Krudenier versus McCulloch. 142 NW2d 355, 1966.

Lehne, Richard. A Public Policy in the Empire State: Reapportionment, 1964-1966. Syracuse: Syracuse University, dissertation, 1969.

_____. Legislating Reapportionment in New York. New York: National Municipal League, 1971.

_____. Reapportionment of the New York Legislature: Impact and Issues. New York: National Municipal League, 1972.

_____. Shape of the Future. New York: National Municipal League, 1969.

Leveson, Rosaline. "Connecticut Remap Invalidated by Court," National Civic Review. Vol. 61, No. 5, May 1972, pp. 251-253.

MacColl, James E. Metropolitan Borough Councils. London: Fabian Foundation, 1947.

Mahon versus Howell. -- U.S. 1117, Advance Sheets, 1973.

Marshall, D. R., B. Frieden and D. W. Fessler. Minority Perspectives. Washington, D. C.: Resources for the Future, 1972.

McKay, Robert B. Reapportionment and the Federal Analogy. New York: National Municipal League, 1962.

_____. Reapportionment: The Law and Politics of Equal Representation. New York: National Municipal League, 1966.

Melrose, Joseph H. and Robert Heath. Pennsylvania Reapportionment: A Study in Legislative Behavior. New York: National Municipal League, 1972.

Metropolitan Boroughs' Committee. Annual Report. London: The Committee, 1952-53.

National Municipal League. Conflicts Among Possible Criteria for Rational Districting. New York: The League, 1969.

_____. Legislative Redistricting by Non-Legislative Agencies. New York: The League, 1967.

_____. Proportional Representation. New York: The League, n.d., mimeo.

_____. REDIST: Program Description and User Manual. New York: The League, 1967.

_____. State Constitutional Provisiions on Apportionment and Districting. New York: The League, 1971, mimeo.

_____. The Cases Before the Court, Several Volumes. New York: The League, 1963+.

Perkins versus Matthews. 400 U.S. 379, 1971.

Polsby, Nelson W., ed. Reapportionment in the 1970's. Berkeley: University of California, 1971.

Reynolds versus Sims. 377 U.S. 533, 1964.

Rhyne, Charles S. Municipal Law. Washington, D. C.: National Institute of Municipal Law Officers, 1957.

Sailors versus Board of Education. 387 U.S. 105, 1967.

Salyer Land Company, et. al. versus Tulare Water District. -- U.S. 1611, Advance Sheets, 1973.

Schmandt, Henry J. "Decentralization: A Structural Imperative," in Frederickson, H. George, ed. Politics, Public Administration and Neighborhood Control. Los Angeles: Chandler Publishing Company, 1972.

Sentell, R. P., Jr. "Federalizing through the Franchise: The Supreme Court and Local Government," Georgia Law Review. Vol. 6, No. 1, Fall 1971, pp. 34-73.

Sherin, Robert L. Memorandum of Law/Florida Reapportionment. Tallahassee: Office of the Attorney General, 1971.

Silva, Ruth C. and William J. D. Boyd. Selected Bibliography on Legislative Apportionment and Districting. New York: National Municipal League, 1968, mimeo.

Sincock versus Gately. 262 Fed. Sup. 739, 1967.

"Small Town Representation: Invidious Descrimination the Reapportionment Problem - Rhode Island, Vermont, and Connecticut," Boston University Law Review. Vol. 43, Fall 1963, pp. 523-540.

Spiegel, Hans B. C. and Stephen D. Mittenthal. Neighborhood Power and Control: Implications for Urban Planning. Washington, D. C.: U. S. Department of Housing and Urban Development, 1968.

Stenberg, Carl W. "Decentralization and the City," in Municipal Yearbook 1972. Washington, D. C.: International City Managers Association, 1972, pp. 88-96.

Straetz, Ralph A. PR Politics in Cincinnati. New York: New York University Press, 1958.

Swann versus Adams. 385 U.S. 440, 1967.

Synder, Lester B. and Richard W. Pearson. "A Two-Dimensional Scheme for Classifying the States of Inter-Party Competition," Connecticut Bar Journal. Vol. 39, March 1965, pp. 1-32.

Walsh, A. H. The Urban Challenge to Government. New York: Praeger, 1969.

Washnis, George J. Municipal Decentralization and Neighborhood Resources. New York: Praeger, 1972.

Weaver, James B. Fair and Equal Districts: A How-to-Do-It Manual on Computer Use. New York: National Municipal League, 1970.

Weaver, L. H. "Representation of Minorities in At-Large Elections in City and Village Governments under Michigan Law," Journal of Urban Law. Vol. 49, No. 1, 1971, pp. 131-161.

Weinstein, J. B. "Effect of the Federal Reapportionment Decisions on Counties and other Forms of Municipal Government," Columbia Law Review. Vol. 65, January 1965, pp. 65+.

Wesberry versus Sanders. 376 U.S. 1, 1964.

Winter, William O. The Urban Polity. Dodd, Meade, 1969.

Wright versus Rockefeller. 376 U.S. 52, 1964.

Yancy versus Faubus. 251 Fed. Supp. 998.

Zimmerman, Joseph F. "Designing an Electoral System for a Consolidated Government," Popular Government. March 1970.

COUNCIL OF PLANNING LIBRARIANS Exchange Bibliography #468

REPRESENTATION AS AN URBAN PROBLEM

Additional copies available from:

Council of Planning Librarians
Post Office Box 229
Monticello, Illinois 61856

for $1.50

UNIVERSITY OF ILLINOIS-URBANA
016.7114C73E C001
EXCHANGE BIBLIOGRAPHY. URBANA, ILL
466-474 1973
3 0112 029109235